



General Assembly

January Session, 2005

Committee Bill No. 6344

LCO No. 3989

03989HB06344VA_

Referred to Committee on Select Committee on Veterans Affairs

Introduced by:
(VA)

**AN ACT CONCERNING THE PLACEMENT OF UNITED STATES
FLAGS ON VETERANS' GRAVES.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 19a-297 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The selectmen of towns, cemetery associations or ecclesiastical
4 societies, having the care of cemeteries, may enact bylaws providing
5 for the care and management of all burial lots, and the protection of all
6 shrubs, trees, fences and monuments thereon, provided no such
7 bylaws shall require or result in the removal or banishing of any
8 undamaged United States flag or armed forces service marker,
9 including [flagholders provided by veterans organizations] any
10 flagholder, from any grave site, and may appoint superintendents and
11 sextons for such cemeteries, who shall have the exclusive right to
12 direct the opening of graves, and no grave shall be opened in any
13 cemetery except with the consent of the superintendent or sexton.

14 (b) (1) Any person who removes an undamaged United States flag
15 or armed forces service marker, including any flagholder, from a grave

16 site shall have committed an infraction, except that the provisions of
 17 this subdivision do not apply to (A) the immediate family of the
 18 person buried at such site, or (B) the temporary removal of such flag or
 19 service marker by a person having the care of such cemetery only for
 20 the duration necessary to permit maintenance of the cemetery lawn or
 21 grave sites. (2) Any person to whom such bylaws have been made
 22 known who violates [the same] any provision of the bylaws shall be
 23 finned not more than ten dollars. As used in this subsection, "immediate
 24 family" means the spouse, parents, children or siblings.

25 (c) The incorporators, organizers or members of any cemetery
 26 association or, if no incorporators, organizers or members are living,
 27 the owners of burial lots therein, by a majority vote, may, at any
 28 meeting called for that purpose, amend its articles of association or its
 29 bylaws.

This act shall take effect as follows and shall amend the following sections:		
Section 1	from passage	19a-297

Statement of Purpose:

To clarify that the removal of undamaged United States flags and armed forces service markers, including flagholders, from grave sites is prohibited, to provide that such removal is an infraction, and to permit any person to place such flagholders.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. FERRARI, 62nd Dist.; SEN. HERLIHY, 8th Dist.
 SEN. KISSEL, 7th Dist.

H.B. 6344